

102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4797

Introduced 1/27/2022, by Rep. Lindsey LaPointe

SYNOPSIS AS INTRODUCED:

225 ILCS 20/4

from Ch. 111, par. 6354

Amends the Clinical Social Work and Social Work Practice Act. Provides that the Act does not prohibit a person, who is not a resident of the State, from performing social work via telehealth in the State for a non-resident of the State for not more than 5 days in any one month or more than 15 days in any one calendar year, had a previous established therapeutic relationship with the non-resident, and the person is authorized to perform such services under the laws of the state or country in which the person resides. Provides that the Act does not prohibit a person, who is not a resident of the State, from performing social work via telehealth in the State for a non-resident of the State currently attending an university or college in the State, had a previous established therapeutic relationship with the non-resident, and the person is authorized to perform such services under the laws of the state or country in which the person resides.

LRB102 25226 AMQ 34498 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Clinical Social Work and Social Work
5 Practice Act is amended by changing Section 4 as follows:

6 (225 ILCS 20/4) (from Ch. 111, par. 6354)

7 (Section scheduled to be repealed on January 1, 2028)

8 Sec. 4. Exemptions.

9 1. This Act does not prohibit any of the following:

10 (a) Any persons legally regulated in this State under
11 any other Act from engaging in the practice for which they
12 are authorized, provided that they do not represent
13 themselves by any title as being engaged in the
14 independent practice of clinical social work or the
15 practice of social work as defined in this Act, nor does it
16 prohibit the practice of nonregulated professions whose
17 practitioners are engaged in the delivery of human
18 services, provided such practitioners do not represent
19 themselves as or use the title of clinical social worker
20 or social worker.

21 (b) The practice of clinical social work or social
22 work by a person who is employed by the United States
23 government or by the State of Illinois, unit of local

1 government or any bureau, division or agency thereof while
2 in the discharge of the employee's official duties.
3 Clinical social workers employed by the State of Illinois
4 who are hired after the effective date of this amendatory
5 Act of 1994 shall hold a valid license, issued by this
6 State, to practice as a licensed clinical social worker,
7 except for those clinical social workers employed by the
8 State who obtain their positions through promotion.

9 (c) The practice of a student pursuing a course of
10 professional education under the terms of this Act, if
11 these activities and services constitute a part of such
12 student's supervised course of study.

13 (d) A person from practicing social work if the person
14 is obtaining experience for licensure as a clinical social
15 worker or social worker, provided the person is designated
16 by a title that clearly indicates training status.

17 (e) A person, who is not a resident of this State, from
18 performing social work via telehealth in this State for a
19 nonresident of this State for not more than 5 days in any
20 one month or more than 15 days in any one calendar year,
21 had a previous established therapeutic relationship with
22 the nonresident, and the person is authorized to perform
23 such services under the laws of the state or country in
24 which the person resides.

25 (f) A person, who is not a resident of this State, from
26 performing social work via telehealth in this State for a

1 nonresident of this State currently attending an
2 university or college in this State, had a previous
3 established therapeutic relationship with the nonresident,
4 and the person is authorized to perform such services
5 under the laws of the state or country in which the person
6 resides.

7 2. Nothing in this Act shall be construed to apply to any
8 person engaged in the bona fide practice of religious ministry
9 provided the person does not hold himself out to be engaged in
10 the independent practice of clinical social work or the
11 practice of social work.

12 3. This Act does not prohibit a person serving as a
13 volunteer so long as no representation prohibited by this
14 Section is made.

15 4. Nothing contained in this Act shall be construed to
16 require any hospital, clinic, home health agency, hospice, or
17 other entity which provides health care to employ or to
18 contract with a licensed clinical social worker to provide
19 clinical social work practice or the independent practice of
20 clinical social work as described in this Act.

21 (Source: P.A. 100-414, eff. 8-25-17.)